

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MUHAMMAD KHAN,

Plaintiff,

v.

M. PAYTON, et al.,

Defendants.

Case No. 20-cv-03086-BLF (PR)

**ORDER ADDRESSING
PLAINTIFF’S “NOTICE OF
POSTPONEMENT OF DEPOSITION
AND MOTION FOR UPDATE”**

(Docket No. 57)

Plaintiff, a California inmate, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 against employees of San Quentin State Prison (“SQSP”). After rescreening the first amended complaint with Plaintiff’s latest amendment, the Court dismissed non-cognizable claims and ordered service of the remaining claims on Defendants. Dkt. No. 52. On July 6, 2023, the Court granted Defendants’ motion to extend the time to file their dispositive motion until September 12, 2023. Dkt. No. 58.

On July 6, 2023, Plaintiff filed a request to postpone the deposition scheduled for July 11, 2023, because he is “unable to participate” without his papers and notes which are in storage.¹ Dkt. No. 57. It appears that while Plaintiff is currently housed at Santa Clara

¹ This filing was not entered until July 7, 2023. *See* Dkt. No. 57.

1 County Jail, his papers are still in storage at CDCR. *Id.* Plaintiff also states that he is
2 waiting for the court to review his pleadings for appointment of counsel and for an order
3 directing defendants to reply. *Id.* However, no such filings from Plaintiff are currently
4 pending on the docket.

5 Nevertheless, good cause appearing, the request for a postponement of his
6 deposition scheduled for July 11, 2023, is **GRANTED**. The parties should confer as to the
7 next appropriate date for the deposition to occur.

8 The Clerk shall include a copy of the docket with a copy of this order to Plaintiff.

9 This order terminates Docket No. 57.

10 **IT IS SO ORDERED.**

11 Dated: July 10, 2023


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California